



CITY COUNCIL

CITY AND COUNTY OF HONOLULU

HONOLULU, HAWAII 96813-3077

COMMITTEE ON PUBLIC WORKS, INFRASTRUCTURE AND SUSTAINABILITY

Voting Members:

Carol Fukunaga, Chair
Joey Manahan, Vice Chair
Brandon J.C. Elefante
Ann H. Kobayashi
Trevor Ozawa

Item No. 7 -
Resolution 18-149 has been
cancelled.

AGENDA

REGULAR MEETING
COMMITTEE MEETING ROOM
WEDNESDAY OCTOBER 17, 2018
11:30 A.M.

SPEAKER REGISTRATION:

Persons wishing to testify are requested to register by 1:00 p.m. as follows:

- On-Line at <http://www.honolulu.gov/ccl-testimony-form.html>;
- By faxing to 768-3827 your name, phone number and the agenda item;
- By filling out the registration form in person; or
- By calling 768-3801.

Persons who have not registered to testify will be given an opportunity to speak on an item following oral testimonies of the registered speakers.

Each speaker is limited to a **one-minute** presentation.

WRITTEN TESTIMONY:

Written testimony may be faxed to 768-3827 or transmitted via internet at <http://www.honolulu.gov/ccl-testimony-form.html>; for distribution at the meeting.

If submitted, written testimonies, including the testifier's address, e-mail address, and phone number, may be posted by the City Clerk and available to the public on the City's DocuShare Website.

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MATERIALS AVAILABLE FOR INSPECTION

Meeting materials ("board packet" §92-7.5, HRS) are available for public inspection at the Council Information and Records Section's service window at Room 202 in Honolulu Hale (530 S. King St.).

Accommodations are available upon request to persons with disabilities, please call 768-3801 or send an email to guehara@honolulu.gov at least three working days prior to the meeting.

The meeting is viewable by: (1) internet live streaming through http://olelo.granicus.com/MediaPlayer.php?publish_id=92; (2) televised live broadcast on Olelo TV Channel 54; or (3) after the meeting, viewable at <http://www.honolulucitycouncil.tv/>. Copies of older meeting videos may be requested by calling the City Clerk's Office at 768-5822, charges may apply.

FOR APPROVAL

MINUTES OF THE SEPTEMBER 19, 2018 REGULAR MEETING

FOR ACTION

1. **COMMUNICATION D-640 – MILILANI MAUKA MF 109 SUBDIVISION.** – From the Department of Design and Construction, requesting consideration of Deed conveying roadway Lot 16459; Grant of Drain Easement 6358; and Grant of Sewer Easements 6357 and 6359 for public use in Waipio.
2. **BILL 72 (2018) – FIRE SAFETY.** Clarifying the intent of Ordinance 18-14 and addressing implementation issues relating to fire safety measures and assessments enacted by that ordinance for the protection of persons and property in existing high-rise residential buildings. (Bill passed second reading and public hearing held on 10/3/18)

PROPOSED CD1 TO BILL 72 (2018) (Submitted by Councilmember Fukunaga) – The CD1 (OCS2018-0966/10/8/2018 2:53 PM) makes the following amendments:

A. Amends paragraph (15), in Section 2 of the Bill, regarding Section 20-1.1, ROH, as follows:

1. Amends 13.3.2.26.2 by replacing the "[~~three~~]" with "four" years and "[~~six~~]" with "seven" years, to read as follows:

"**13.3.2.26.2** Existing high-rise residential buildings not protected throughout by an automatic fire sprinkler system shall be subject to building fire and life safety evaluation code assessments, which consist of an assessment of building safety features and fire protection systems in accordance with this code and the building code on a form prescribed by the AHJ in accordance with Section 20-__4. A passing score on the evaluation provides a minimum level of fire and life safety to occupants and fire fighters that is approved by the AHJ. A building fire and life safety evaluation shall be conducted by a licensed design professional within [~~three~~] four years from the effective date of this ordinance. Buildings shall comply by passing the building fire and life safety evaluation within [~~six~~] seven years from the effective date of this ordinance. The AHJ may grant an extension pursuant to Section 13.3.2.26.7 if automatic fire sprinkler systems are used to achieve

compliance. All buildings must continue to maintain a passing status on their respective building fire and life safety evaluation code assessments. For the purposes of this section, "existing high-rise residential building" means the same as "existing highrise residential building" as defined in Section 20-5.1."

2. Amends 13.3.2.26.4 by replacing the "[480]" with "360" days, to read as follows:

"13.3.2.26.2.4 Each building owner shall, within [480] 360 days from the effective date of this ordinance, file a written statement of its intent to comply with this paragraph (15) with the AHJ for approval."

3. Amends 13.3.2.26.5 by replacing the "[60]" with "120" days, to read as follows:

"13.3.2.26.2.5 The AHJ shall review and respond to the written statement of the owner's intent to comply within [60] 120 days of receipt of the statement of intent to comply."

4. Amends 13.3.2.26.6 by replacing the "[12]" with "13" years, to read as follows:

"13.3.2.26.2.6 Subject to the exceptions in the following section, the entire building shall be required to be protected by:

- (a) An approved automatic fire sprinkler system; or
- (b) Alternative fire prevention and fire safety systems as approved by the AHJ,

within [12] 13 years of the effective date of this ordinance, except where an extension is approved by the AHJ as provided in Section 13.3.2.26.2.7."

5. Amends 13.3.2.26.7 by replacing the "[eight]" with "nine" years, "[10]" with "11" years, "[12]" with "13" years, and "[15]" with "16" years, to read as follows:

"**13.3.2.26.2.7** Compliance with the automatic fire sprinkler system throughout the building or alternative fire prevention and fire safety systems provisions of Section 13.3.2.26.2.2 shall be achieved as follows: Common areas for buildings 20 floors and over shall be completed within ~~[eight]~~ nine years from the effective date of this ordinance, common areas for buildings 10 to 19 floors shall be completed within ~~[10]~~ 11 years from the effective date of this ordinance, and all buildings, regardless of the number of floors, shall be completed within ~~[12]~~ 13 years from the effective date of this ordinance. An extension to ~~[15]~~ 16 years from the effective date of this ordinance may be approved by the AHJ; provided that, compliance using an automatic fire sprinkler system in the common areas related to building egress path has been achieved."

B. Adds a new Section 3 to the Bill that reads as follows:

"SECTION 3. The Honolulu Fire Department shall submit a report to the Council on amendments recommended for Ordinance 18-14, not later than December 1, 2018."

C. Renumbers all subsequent sections thereafter accordingly.

D. Makes miscellaneous technical and nonsubstantive amendments.

3. **BILL 41 (2018) – RELATING TO PUBLIC PROPERTY.** Addressing damage to, and alteration of, public property, including prohibiting alteration of public property by the posting of unauthorized signs thereon. (Bill passed first reading on 7/11/18)
4. **BILL 65 (2018) – PRIVATE STREETS AND ROADS.** Addressing the conditions under which the City may maintain private streets and roads and recover the costs of providing such maintenance. (Bill passed first reading on 8/15/18)
5. **BILL 68 (2018) – CITY STREAMS.** Ensuring the regular inspection and maintenance of streams owned by the City and County of Honolulu. (Bill passed second reading and public hearing held on 10/3/18)

[PROPOSED CD1 TO BILL 68 \(2018\)](#) (Submitted by Councilmember Ozawa). The CD1 (OCS2018-0972/10/10/2018 10:40 AM) makes the following amendments:

- A. Deletes the phrase "other than a city-owned stream" from the proposed subsection (a) of ROH Section 41-26.3 in SECTION 3 of the bill.
 - B. In SECTION 3 of the bill, restores the phrase "or is likely to create an unsanitary condition or otherwise become a public nuisance" to the proposed subsection (a) of ROH Section 41-26.3, language that was added by Ordinance 17-38 but omitted from the original version of the bill.
 - C. In SECTION 3 of the bill, amends the proposed subsection (b) of ROH Section 41-26.3 to remove the provision for a deadline of June 1 of each calendar year for the annual or first semi-annual inspection and removal of debris, vegetation, silt, or other items or materials and substitutes a directive that the chief engineer consider seasonal patterns of elevated flood risk, such as that associated with hurricane activity, in determining the scheduling of inspections and removals.
 - D. Makes miscellaneous technical and nonsubstantive amendments.
6. [BILL 75 \(2018\)](#) – **RELATING TO SIDEWALKS.** Improving safety on public sidewalks in the City and County of Honolulu. (Bill passed first reading on 10/3/18)
7. [RESOLUTION 18-149](#) – ~~**DEDICATION AND TRANSFER OF VARIOUS PARCELS AND REMNANT ROADWAYS FROM THE HCDA.**~~ Authorizing acceptance of the dedication and transfer of various parcels and remnant roadways from the Hawaii Community Development Authority in the Kakaako Community Development District to the City and County of Honolulu. (Transmitted by Communication [D-444](#); Committee postponed action on 8/29/18)

Cancelled

CAROL FUKUNAGA, Chair
Committee on Public Works,
Infrastructure and Sustainability